

PATENT

ATTORNEY DOCKET NO.: 046601-5077



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hitoshi OKAMOTO

Application No. 09/716,445

Filed: November 21, 2000

For: IMAGE DATA SORTING DEVICE
AND IMAGE DATA
SORTING METHOD

Confirmation No. 8225

Group Art Unit: 2625

Examiner: Y. Couso

ATTN: Mail Stop RCE

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

☒ Previously submitted:

☒ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on October 12, 2004 (Any unentered amendment(s) referred to above will be entered).

☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

12/01/2004 SSITHIB1 00000052 500310 09716445

01 FC:1252	430.00 DA
02 FC:1801	790.00 DA

- ☐ Enclosed:
- ☐ Supplemental Reply
 - ☐ Affidavit(s)/Declaration(s)
 - ☐ Information Disclosure Statement Under 37 C.F.R. § 1.97(b)
 - ☐ PTO Form 1449
 - ☐ Other: Preliminary Amendment filed with RCE under 37 C.F.R. §1.114

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other: _____.

3. Fees Calculation

- (a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$790.00
- ☐ \$395.00 (for small entity)

- (b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	22	minus	22	0	x \$18 each =	+ \$00.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$88 each =	+ \$00.00
[] First presentation of Multiple dependent claim(s)					\$300.00	+ \$00.00
SUB-TOTAL =						\$00.00
Reduction by ½ for filing by a small entity						- \$00.00
TOTAL FEE =						\$00.00

(c) Extension of Time

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 430.00	\$215.00
<input type="checkbox"/> three months	\$ 980.00	\$490.00
<input type="checkbox"/> four months	\$1,530.00	\$765.00

The extension of time fee due with this request is: \$430.00.

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- ☐ Enclosed is a check in the amount of \$_____.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of \$1220.00, representing \$790.00 for the RCE filing fee and \$430.00 for two-month extension of time fee.

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

Dated: November 30, 2004

By: Mary Jane Boswell
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